

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

OLD ST. PAUL MISSIONARY BAPTIST CHURCH

PLAINTIFF

v.

No. 3:07CV00043 JLH

FIRST NATION INSURANCE GROUP, *et al.*

DEFENDANTS

ORDER

Barrett & Deacon, P.A., has renewed its motion to withdraw as counsel pursuant to Local Rule 83.5(f). As the title of the motion indicates, Barrett & Deacon has previously filed a motion to withdraw as counsel. The Court denied that motion on October 28, 2008. The Court stated that when First Nation Insurance Group had new lawyers to enter an appearance, the Court would grant Barrett & Deacon's motion to withdraw. Sixteen months have passed, and no new lawyers have entered an appearance to represent First Nation Insurance Group.

Barrett & Deacon is not the first firm to enter an appearance for First Nation Insurance Group and then move to withdraw. The first attorneys to represent the defendants were David A. Grace of Hardin & Grace, P.A., and Justin R. Giles, III, of Less, Getz & Lipman, PLC. Those attorneys moved to withdraw because of irreconcilable differences with the client on May 15, 2007, and the motion was granted. Bettina E. Brownstein and Mark N. Ohrenberger of Wright, Lindsey & Jennings, LLP, then entered an appearance as counsel for defendants AA Risk Management, Inc.; AA Communications, Inc.; Gwen Moyo; and Craig Greene. Shortly thereafter, Barry Deacon and Brandon J. Harrison of Barrett & Deacon entered an appearance as counsel for First Nation Insurance Group.

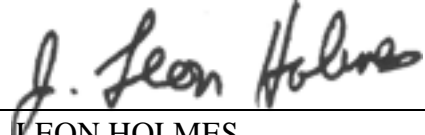
Wright, Lindsey & Jennings moved to withdraw as counsel on September 25, 2007. The Court entered an order granting the motion to withdraw on September 28, 2007. The defendants other than First Nation Insurance Group have been unrepresented since that date.

Barrett & Deacon filed its first motion to withdraw on October 22, 2008, citing irreconcilable differences between the lawyers and the client. Sixteen months later, Barrett & Deacon has again moved to withdraw based on irreconcilable differences between the lawyers and the client. A motion to compel discovery responses also is pending.

The Court has concluded that it is necessary to have a hearing by telephone regarding the pending motions, particularly the motion to withdraw as counsel, and that an officer of First Nation Insurance Group authorized to speak on behalf of that entity with regard to this litigation should be included as a part of the telephone conference. A hearing by telephone is scheduled *to begin at 10:00 a.m., CST, on Friday, March 5, 2010*, regarding the motion to withdraw and the motion to compel discovery responses.

THE COURT ORDERS that First Nation Insurance Group to have an officer who is knowledgeable about this litigation and authorized to speak on behalf of that entity available to participate in that hearing by telephone. The name and telephone number of that officer must be provided to the Court *by the close of business on Wednesday, March 3, 2010*. Barrett & Deacon is ORDERED to provide a copy of this order to First Nation Insurance Group immediately by telecopy, electronic mail, or both, and to file a certificate of service with the Court stating when and how this order was transmitted to First Nation Insurance Group.

IT IS SO ORDERED this 24th day of February, 2010.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE